UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

'08 MJ 1517

UNITED STATES OF AMERICA	Magistrate Case No.
v.	COMPLAINT FOR VIOLATION OF
GAMBOA, Richard Christopher	Title 18, United States Code Sections 751(a) and 4082(a)

The undersigned complainant, being duly sworn states:

That on or about May 13, 2008, at San Diego, California, in the Southern District of California, Richard GAMBOA did escape from an institution in which he was confined by the direction of the Attorney General, to wit, the Pacific Furlough Community Corrections Center, a Half-Way House in San Diego, California, a federally contracted facility, said custody and confinement being by virtue of a conviction (Case Number 06CR00210-J) of Bringing in Illegal Aliens Without Presentation and Aiding and Abetting, in violation of Title 8 USC 1324(a)(B)(III),and 18 USC 2,in violation of Title 18 USC 751(a) and 4082(a)

The complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Daniel E. Guzman
Deputy United States Marshal

Sworn to before me, and subscribed in my presence, this day of May 15, 2008.

Cathy Ann Bencivengo
United States Magistrate Judge

AFFIDAVIT

ss

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

I, Daniel E. Guzman, being duly sworn, hereby depose and state that:

1. I am a Deputy United States Marshal and have been so employed for about four years.

2. This affidavit is made in support of a complaint against Richard Christopher GAMBOA for escape from the custody of the Attorney General, in violation of Title 18, United States code, Section 751(a) and 4082(a)

3. On MAY 14, 2008, I received a memorandum from the United States Federal Bureau of Prisons to report the escape of Richard Christopher GAMBOA from Pacific Furlough a Community Corrections Center (CCC), San Diego, California, a federally contracted facility.

4. On May 14, 2008, I reviewed files from the United States Marshals Service, the Federal Bureau of Prisons and Pacific Furlough Community Corrections Center. My review of the files revealed the following facts:

a. Records show that on May 15, 2006, Richard Christopher GAMBOA had received a sentence of six(6) months with two(2) years of supervision to follow imposed by United States District Court Judge Napoleon A. Jones Jr., after having been convicted for Bringing in Illegal Aliens Without Presentation and Aiding and Abetting in violation of 8 USC 1324(a)(2)(B)(III) and 18 USC 2.

b. On May 1, 2008, GAMBOA was released from the Federal Correctional Institution (FCI), Victorville, in Victorville, California. GAMBOA arrived at the Pacific Furlough Community Corrections Center on May 1, 2008 to complete a 120-day CCC placement. On May 13, 2008, GAMBOA signed out of the center for the purpose of seeing his daughter in the hospital and failed to report to the halfway house as scheduled and failed to contact the facility regarding his location and status. GAMBOA's current whereabouts are unknown and he remains a fugitive.

Dated: May 15, 2008

Daniel E. Guzman
Deputy U.S. Marshal

Subscribed and sworn before me
on this 15th day of May, 2008

Cathy Ann Bencivengo
United States Magistrate Judge